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MAILED

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OFFICE OF PETITIONS

In re Patent No. 7,470,709  
Barsanti et al.  
Issue Date: December 30, 2008  
Application No. 10/644,055  
Filed: August 19, 2003  
Attorney Docket No. 19099.004  
Title: Benzimidazole  
Quinolinones and Uses Thereof

: DECISION UPON REMAND AND  
: RECONSIDERATION OF  
: PATENT TERM ADJUSTMENT  
: AND NOTICE OF INTENT  
: TO ISSUE CERTIFICATE OF  
: CORRECTION  
:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by eight hundred and ten(810) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by eight hundred and ten (810) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery Fries  
Senior Legal Advisor Attorney  
Office of Patent Legal Administration  
Office of Associate Commissioner  
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT : 7,470,709

DATED : October 19, 2003

DRAFT

INVENTOR(S) : Barsanti et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[\*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 392 days

Delete the phrase "by 392" and insert - by 810 days--

Day : Friday  
Date: 10/1/2010

Time: 11:40:35

**PALM INTRANET****PTA Calculations for Application: 10/644055**

Application Filing Date:	08/19/2003	PTO Delay (PTO):	602
Issue Date of Patent:	12/30/2008	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	210
Post-Issue Petitions:	0	Total PTA (days):	810
PTO Delay Adjustment:	418		

**File Contents History**

Number	Date	Contents Description	PTO	APPL	START
143	10/01/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	418		
135.5	12/10/2008	PTA 36 MONTHS			
135	12/30/2008	PATENT ISSUE DATE USED IN PTA CALCULATION			
134	12/02/2008	EXPORT TO FINAL DATA CAPTURE			
133	12/01/2008	FINISHED INITIAL DATA CAPTURE			
132	12/01/2008	DISPATCH TO FDC			
131	11/13/2008	APPLICATION IS CONSIDERED READY FOR ISSUE			
130	11/12/2008	ISSUE FEE PAYMENT VERIFIED			
129	11/12/2008	ISSUE FEE PAYMENT RECEIVED			
128	10/17/2008	MAIL MISCELLANEOUS COMMUNICATION TO APPLICANT			
127	10/15/2008	MISCELLANEOUS COMMUNICATION TO APPLICANT - NO ACTION COUNT			
125	10/08/2008	TC RETURN TO PUBS			
124	10/08/2008	MAIL MISCELLANEOUS COMMUNICATION TO APPLICANT			
123	10/07/2008	WORKFLOW - QUERY REQUEST - FINISH			
120	09/30/2008	MISCELLANEOUS COMMUNICATION TO APPLICANT - NO ACTION COUNT			
119	09/29/2008	MAIL MISCELLANEOUS COMMUNICATION TO APPLICANT			
118	09/25/2008	MISCELLANEOUS COMMUNICATION TO APPLICANT - NO ACTION COUNT			
117	09/19/2008	WORKFLOW - QUERY REQUEST - BEGIN			
116	08/28/2008	SEQUENCE FORWARDED TO PUBS ON TAPE			
115	08/18/2008	EXPORT TO INITIAL DATA CAPTURE			

114	08/15/2008	MAIL NOTICE OF ALLOWANCE			
113	08/14/2008	ISSUE REVISION COMPLETED			
112	08/13/2008	DOCUMENT VERIFICATION			
111	08/13/2008	ALLOWED CASE RETURNED TO THE EXAMINER FOR CLERICAL PROCESSING			
110	08/13/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
109	08/08/2008	NOTICE OF ALLOWABILITY			
106	06/20/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
105	06/20/2008	REFERENCE CAPTURE ON IDS			
104	06/20/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		0	102
103	07/14/2008	DATE FORWARDED TO EXAMINER			
102	06/20/2008	RESPONSE AFTER NON-FINAL ACTION		91	99
101	06/20/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			
100	06/20/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
99	12/21/2007	MAIL NON-FINAL REJECTION			
98	12/20/2007	NON-FINAL REJECTION			
97	10/12/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
95	10/22/2007	DATE FORWARDED TO EXAMINER			
94	10/12/2007	REQUEST FOR CONTINUED EXAMINATION (RCE)		31	87
93	10/22/2007	DISPOSAL FOR A RCE / CPA / R129			
92	10/12/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
91	10/12/2007	REFERENCE CAPTURE ON IDS			
90	10/12/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
89	10/12/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
88	10/11/2007	WORKFLOW - REQUEST FOR RCE - BEGIN			
87	06/11/2007	MAIL FINAL REJECTION (PTOL - 326)			
86	06/08/2007	FINAL REJECTION			
85	12/19/2006	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
84	03/16/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
83	01/26/2004	INFORMATION DISCLOSURE STATEMENT CONSIDERED			

82	01/26/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
81.7	03/16/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED	0	79	
81	03/16/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
80	03/28/2007	DATE FORWARDED TO EXAMINER			
79	03/16/2007	RESPONSE AFTER NON-FINAL ACTION	88	75	
78	03/16/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
77	12/19/2006	REFERENCE CAPTURE ON IDS			
76.7	12/19/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
76	12/19/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
75	09/18/2006	MAIL NON-FINAL REJECTION			
74	09/15/2006	NON-FINAL REJECTION			
73	06/05/2006	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
72	07/25/2006	DATE FORWARDED TO EXAMINER			
71	07/10/2006	RESPONSE TO ELECTION / RESTRICTION FILED			
68.7	06/05/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
68	06/05/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
67	06/13/2006	MAIL RESTRICTION REQUIREMENT	602	-1	
66	06/09/2006	REQUIREMENT FOR RESTRICTION / ELECTION			
62	05/25/2006	CASE DOCKETED TO EXAMINER IN GAU			
61	11/17/2003	REFERENCE CAPTURE ON IDS			
60	12/15/2005	PRELIMINARY AMENDMENT			
52.7	04/03/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
52	04/03/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
47	03/16/2006	REFERENCE CAPTURE ON IDS			
46.7	03/16/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
46	03/16/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
45	02/09/2006	CASE DOCKETED TO EXAMINER IN GAU			
44.7	01/13/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			

44	01/13/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
42.7	08/10/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
42	08/10/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
41	03/14/2005	REFERENCE CAPTURE ON IDS		
40.7	03/14/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
40	03/14/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
39.7	01/18/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
39	01/18/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
38.7	12/13/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
38	12/13/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
37	09/23/2004	CASE DOCKETED TO EXAMINER IN GAU		
36	06/08/2004	MAIL-PETITION DECISION - GRANTED		
35	12/22/2003	REFERENCE CAPTURE ON IDS		
34.7	12/22/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
34	12/22/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
33	12/15/2003	PRELIMINARY AMENDMENT		
32.7	11/17/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
32	11/17/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
31	05/14/2004	CASE DOCKETED TO EXAMINER IN GAU		
30	01/02/2004	PETITION ENTERED		
29	03/01/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE		
27	01/29/2004	APPLICATION RETURN FROM OIPE		
26	01/30/2004	APPLICATION IS NOW COMPLETE		
25	12/11/2003	PAYMENT OF ADDITIONAL FILING FEE/PREEEXAM		
24	01/30/2004	PRE-EXAM OFFICE ACTION WITHDRAWN		
23	01/29/2004	APPLICATION RETURN TO OIPE		

22	01/29/2004	APPLICATION RETURN FROM OIPE			
21	01/30/2004	APPLICATION IS NOW COMPLETE			
19	01/29/2004	PRE-EXAM OFFICE ACTION WITHDRAWN			
18	01/29/2004	APPLICATION RETURN TO OIPE			
17	01/29/2004	APPLICATION RETURN FROM OIPE			
16	01/29/2004	APPLICATION IS NOW COMPLETE			
14	01/29/2004	PRE-EXAM OFFICE ACTION WITHDRAWN			
13	01/29/2004	APPLICATION RETURN TO OIPE			
12	01/29/2004	APPLICATION DISPATCHED FROM OIPE			
11	01/29/2004	APPLICATION IS NOW COMPLETE			
9	12/11/2003	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC			
8	12/30/2003	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
7	11/17/2003	NOTICE MAILED--APPLICATION INCOMPLETE-- FILING DATE ASSIGNED			
4	11/04/2003	CASE CLASSIFIED BY OIPE			
3	11/04/2003	CLEARED BY OIPE CSR			
2	10/01/2003	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	08/19/2003	INITIAL EXAM TEAM NN			

Search Another: Application#

#### EXPLANATION OF PTA CALCULATION

#### EXPLANATION OF PTE CALCULATION

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